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# **Housing Element Amendment And Municipal Fair Share Plan Rounds I-III (1987-2018)**

Borough of Swedesboro  
Gloucester County, New Jersey

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**Digital Appendix:**

- King's Way Apartment Resolution of Approval January 11, 1993
- King's Way Apartment Mortgage and Deed of Easement
- Valley View Land Company, Inc. Settlement Agreement
- Court Master Report re: Valley View Site dated May 22, 2007
- Regional Contribution Agreement between Swedesboro and Woolwich Township
- Rehabilitation Program Manual
- Redevelopment Area Determination Report and Plan
- Resolution Adopting Redevelopment Areas
- 401 Line Bus Schedule
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## INTRODUCTION

According to the Municipal Land Use Law (40:55D-28.b(3)), a Master Plan may, where appropriate, contain a Housing Plan Element. Pursuant to section 10 of P.L. 1985, c. 222 (C. 52:27D-310), a municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. This Housing Element has been prepared in a manner that is consistent with the requirements of the Municipal Land Use Law, as follows:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
- f. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

This plan also serves to satisfy the requirements of COAH (the Council on Affordable Housing) for the period (1987-2018).

## POPULATION DATA

Population in the Borough has been decreasing since 1950 to its current estimate of 2,043 persons.<sup>1</sup> The most substantial decrease occurred between 1970 and 1980 when the Borough lost 11 percent of its population.

Table 1: POPULATION TREND (1940-2006)

Year	Population	# Change	% Change
1940	2,268	—	—
1950	2,459	191	8
1960	2,449	-10	-0.4
1970	2,287	-162	-7
1980	2,031	-256	-11
1990	2,024	-7	-0.3
2000	2,055	31	-2
2006*	2,043	-12	-0.6

\* U.S. Bureau of the Census Estimate.

## Age

The Year 2000 population of the Borough was evenly distributed in terms of age. A majority (10 percent) of residents in 2000 were aged 35-39. Thirty percent of the population was under 18, while 20 percent was 55 or older. Fifty-five percent of the population was generally of working age<sup>1</sup> between 18 and 54 years of age.

Table 2: SEX BY AGE

Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data

	# Male	# Female	Total	Percent of Total
Under 5 years	81	72	153	7
5 to 9 years	94	72	166	8
10 to 14 years	83	81	164	8
15 to 17 years	50	30	80	4
18 & 19 years	36	31	67	3
20 years	12	7	19	1
21 years	11	11	22	1
22 to 24 years	23	33	56	3
25 to 29 years	73	64	137	7
30 to 34 years	64	73	137	7
35 to 39 years	97	104	201	10
40 to 44 years	96	87	183	9
45 to 49 years	71	73	144	7

<sup>1</sup> All data is from the U.S. Bureau of the Census unless otherwise indicated.

Table 2: SEX BY AGE

Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data

	# Male	# Female	Total	Percent of Total
50 to 54 years	54	57	111	5
55 to 59 years	38	48	86	4
60 & 61 years	9	14	23	1
62 to 64 years	20	28	48	2
65 & 66 years	13	8	21	1
67 to 69 years	15	26	41	2
70 to 74 years	27	39	66	3
75 to 79 years	23	37	60	3
80 to 84 years	8	24	32	2
85 +	11	27	38	2
Total	1,009	1,046	2,055	100

## **Household Size**

As of 2000, there were 771 households in the Borough, with an average household size of 2.66 persons. A majority (28 percent) of households are 2-person households, followed by 1-person (26 percent) and 3-person (18 percent) households.

Table 3: HOUSEHOLD SIZE

Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

	Number	Percent
Total:	771	100
1-person household	202	26
2-person household	219	28
3-person household	136	18
4-person household	132	17
5-person household	50	6
6-person household	6	1
7+person household	26	3

## **Household and Family Income**

In 1999, the median household income in the Borough was \$49,286. Also in 1999, a majority of households (14 percent) earned between \$75,000 and \$99,000 per year. Over 50 percent of households earn more than \$45,000 per year. Median family income in 1999 was \$58,721, which was \$9,435 more than median household income. Seventeen percent of family households earned \$75,000 to \$99,999 per year, and more than half of families earned at least \$50,000 per year. Per capita income in the Borough in 1999 was \$20,857.

**Table 4: HOUSEHOLD INCOME IN 1999**

Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

	Number	Percent
Total:	770	100
Less than \$10,000	62	8
\$10,000 to \$14,999	52	7
\$15,000 to \$19,999	21	3
\$20,000 to \$24,999	66	9
\$25,000 to \$29,999	53	7
\$30,000 to \$34,999	30	4
\$35,000 to \$39,999	35	5
\$40,000 to \$44,999	39	5
\$45,000 to \$49,999	31	4
\$50,000 to \$59,999	86	11
\$60,000 to \$74,999	93	12
\$75,000 to \$99,999	105	14
\$100,000 to \$124,999	53	7
\$125,000 to \$149,999	32	4
\$150,000 to \$199,999	9	1
\$200,000 or more	3	0

**Table 5: FAMILY INCOME IN 1999**

Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

	Number	Percent
Total:	526	100
Less than \$10,000	21	4
\$10,000 to \$14,999	23	4
\$15,000 to \$19,999	17	3
\$20,000 to \$24,999	37	7
\$25,000 to \$29,999	34	6
\$30,000 to \$34,999	13	2
\$35,000 to \$39,999	3	1
\$40,000 to \$44,999	32	6
\$45,000 to \$49,999	25	5
\$50,000 to \$59,999	80	15
\$60,000 to \$74,999	75	14
\$75,000 to \$99,999	90	17
\$100,000 to \$124,999	40	8
\$125,000 to \$149,999	24	5
\$150,000 to \$199,999	9	2
\$200,000 or more	3	1

## HOUSING UNIT CHARACTERISTICS

### Tenure, Units in Structure and Year Built

In 2000, the vast majority (90 percent) of structures in Swedesboro were occupied, and of the occupied units 64 percent were owner-occupied. A majority (55 percent) of all units were single-family detached units. A smaller percentage of units (22 percent) were single-family attached units, and 23 percent of all residential structures contained 2 or more units.

Table 6: HOUSING UNIT TENURE

	Total	Percent
Total Number Housing Units	860	100
Occupied Units	771	90
Owner-Occupied	497	64
Renter-Occupied	274	36
Vacant Units	89	10

Table 7: UNITS IN STRUCTURE AND YEAR  
STRUCTURE BUILT

Data Set: Census 2000 Summary File 3 (SF 3) —  
Sample Data

	Number	Percent
Total:	860	100
1, attached	192	22
2	108	13
3 or 4	41	5
5 to 9	12	1
10 to 19	21	2
20 to 49	15	2
50 or more	0	0
Mobile home	0	0
Boat, RV, van, etc.	0	0

#### YEAR STRUCTURE BUILT

1999 to March 2000	20	2
1995 to 1998	68	8
1990 to 1994	40	5
1980 to 1989	25	3
1970 to 1979	50	6
1960 to 1969	72	8
1950 to 1959	66	8
1940 to 1949	92	11
1939 or earlier	427	50
Median Year Built:	1940	



## **Quality Indicators**

The indicators that are related to the quality of housing generally include age, the number of persons per room (overcrowding), and the lack of plumbing, kitchen, and central heating facilities. The evaluation of such factors is as follows:

- Age. Units built before 1940 are considered to have a significant age factor.
- Overcrowding. Units containing more than 1.0 persons per room are considered to be overcrowded.
- Plumbing facilities. Units lacking comprehensive plumbing for exclusive use are considered deficient.
- Kitchen facilities. Units lacking a sink with piped water, a stove and a refrigerator are considered deficient.
- Heating facilities. Units lacking central heat are considered deficient.

Fifty percent of the Borough's housing stock was built before 1940, however only 1 percent of all units lack complete plumbing or kitchen facilities and no units lack central heating. The housing stock of the Borough is older, however appears to have modern conveniences. The U.S. Census reports that 616 persons, or 30 percent of the population, lived in overcrowded conditions at the time of the Census.

Table 8: QUALITY INDICATORS OF OCCUPIED HOUSING		
	Number	Percent
Built 1939 or earlier	427	50
Lacking complete plumbing	11	1
Lacking complete kitchen facilities	11	1
Lacking central heating**	0	0

\*\* Structures using wood/ coal as heating element

## **Value**

In 2000, a majority (29 percent) of housing units were valued between \$100,000-\$124,000; most units (79 percent) were valued between \$80,000 - \$150,000. As previously indicated, a fairly high percentage (36 percent) of units are rental units in the Borough. In terms of gross rent, a majority of renters (13 percent) paid between \$800 - \$899 in monthly rent in 1999. Most renters (58 percent) paid \$550 - \$899.

**Table 9: VALUE FOR ALL OWNER-OCCUPIED HOUSING UNITS**

Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

	Number	Percent
Total:	496	100
\$0 to 34,999	0	0
\$35,000 to \$39,999	6	1
\$40,000 to \$49,999	4	1
\$50,000 to \$59,999	18	4
\$60,000 to \$69,999	25	5
\$70,000 to \$79,999	31	6
\$80,000 to \$89,999	78	16
\$90,000 to \$99,999	86	17
\$100,000 to \$124,999	145	29
\$125,000 to \$149,999	72	15
\$150,000 to \$174,999	25	5
\$175,000 to \$199,999	3	1
\$200,000 to \$249,999	3	1
\$250,000 or more	0	0
Median value	\$100,000	

**Table 10: GROSS RENT**

Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

	Number	Percent
Total:	275	100
With cash rent:	266	97
Less than \$100	8	3
\$100 to \$149	8	3
\$150 to \$199	9	3
\$200 to \$249	9	3
\$250 to \$299	6	2
\$300 to \$349	23	9
\$350 to \$399	7	3
\$400 to \$449	5	2
\$450 to \$499	8	3
\$500 to \$549	5	2
\$550 to \$599	29	11
\$600 to \$649	19	7
\$650 to \$699	24	9
\$700 to \$749	25	9
\$750 to \$799	23	9
\$800 to \$899	35	13
\$900 to \$999	8	3
\$1,000 to \$1,249	15	6
\$1,250 or more	0	0
No cash rent	9	3
Median gross rent	\$642	

## **Number of Affordable Units**

There is currently only one development in town that is income-restricted. The King's Way Apartment complex contains 36 units of income-restricted senior housing. There is a Settlement Agreement with Valley View Land Co. that will produce an additional 18 units of family for-sale housing as part of an inclusionary project.

## **Housing Unit Growth**

Approximately since the U.S. Census, over 100 units have received a Certificate of Occupancy in the Borough, and 5 units were demolished. As the remaining farmland in the Borough is developed, the number of units constructed will increase and then will decrease dramatically; limited to tear down and replacement of units.

Table 11  
Residential CO's Issued: January 1, 2004 to Present  
Source: NJDCA

Year	# Certified Housing Units	# Demolitions
2000	5	0
2001	0	0
2002	3	1
2003	0	0
2004	3	0
2005	12	3
2006	3	1
2007	49	0
2008 (Jan - June)	39	0
<b>Total</b>	<b>114</b>	<b>5</b>
Ave. per Year	12.66	0.56

## **EMPLOYMENT CHARACTERISTICS**

Detailed data on jobs located in a municipality is generally not available on a local level; however the State Data Center does collect some data. The following data is from 2006, and indicates that there are over 7,400 jobs covered by UI (Unemployment Insurance) and UCFE (Unemployment Compensation for Federal Employees), and that the average annual wage of employees is \$40,554. The number of jobs in the Borough is anticipated to decrease as commercial sites are re-zoned to permit inclusionary housing. Some new jobs may be provided in the redevelopment area along Main Street.

Table 12  
Annual Municipal Data - 2006

	Average Annual Employment	Average Annual Wage	Average Weekly Wage
TOTAL - FEDERAL GOVT	707	\$51,089	\$982
TOTAL - LOCAL GOVT	377	\$39,308	\$756
TOTAL - PRIVATE SECTOR	6,335	\$39,452	\$759
TOTAL - ALL COVERED UI & UCFE	7,419	\$40,554	\$780

## **AFFORDABLE HOUSING OBLIGATION**

According to COAH's rules, the cumulative affordable housing obligation consists of the prior round obligation (1987-1999), the growth share obligation (2004-2018) based on COAH's projection, and the rehabilitation share.

### **Prior Round Obligation**

Per Appendix C of COAH's rules, the Borough's prior round (1987-1999) obligation is 23 units.

### **Household and Employment Projections**

Per Appendix F(2), COAH has estimated that there are 92 acres of "vacant" land in the Borough (see **Digital Appendix** for mapping), which at ultimate build-out will generate 228 dwelling units and 510,817 square feet of non-residential space.

Table 13: Vacant Land and Development Capacity by Municipality  
COAH May 2008 Report

Municipality	Vacant Land (acres)	Dwelling Units	Non Residential Floor Space (sq. ft.)
SWEDESBORO	92	228	510,817

COAH has projected that only a portion of the foregoing growth will be achieved by 2018, as follows:

Table 14  
Household and Employment Projections

	2018
Increase in # Households	80
Increase in # Jobs	1,198

COAH projects that the number of households will increase by 80 between 2004 and 2018, and the number of jobs in town will increase by 1,198. Based on these projections, the Borough's growth share allocation for Round III, at 1 unit for every 4 market rate units and 1 unit for every 16 jobs, is 91 affordable housing units.

### **Rehabilitation Share**

Per Appendix C of COAH's rules, the Borough's rehabilitation share is 9 units.

## FAIR SHARE COMPLIANCE PLAN

The Borough's affordable housing is currently under the Court's jurisdiction as a result of a builder's remedy lawsuit filed by Valley View Land Company, Inc. and Swedesboro 131, LLC. Therefore, this plan will be filed with COAH and submitted to the Court for approval. The following compliance plan details how the cumulative obligation of 23 units for the prior round and 91 units for Round III will be addressed.

The new affordable housing that is created must serve low- and moderate-income households. Low-income households are those earning 44 percent of median income, and moderate-income households are those earning 60 percent of median income. Median income in Swedesboro Borough's housing region is currently \$71,600 for a four-person household. According to COAH's income limits, a moderate-income four-person household earns no more than \$59,280 per year, and a low-income four-person household earns no more than \$35,800 per year.

Table 15: COUNCIL ON AFFORDABLE HOUSING (COAH) 2008 REGIONAL INCOME LIMITS  
REGION 5: BURLINGTON, GLOUCESTER AND CAMDEN COUNTIES

Income Level (\$)	1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8 Person	Asset Limit
Median	50,010	55,725	59,440	66,870	74,300	77,272	80,244	86,168	92,132	98,076	
Moderate	41,608	44,580	47,552	53,496	59,440	61,818	64,195	68,950	73,706	78,461	
Low	26,005	27,863	29,720	33,435	37,150	38,636	40,122	43,094	46,066	49,038	121,348
Very Low	15,603	16,718	17,832	19,061	22,290	23,182	24,073	25,856	27,640	29,423	

\*These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.6(b) and N.J.A.C. 5:80-26.12(a).

## PRIOR ROUND COMPLIANCE PLAN

Two projects are intended to address the Borough's 23- unit prior round (1987-1999) affordable housing obligation.

### King's Way Apartments

The King's Way Apartment Complex (Block 52, Lot 2.03; 1 Lore Drive) (see Appendix 3 for Mapping) is an existing, fully-functioning 100 percent affordable 36-unit senior rental facility that received Planning Board approval on January 11, 1993.<sup>2</sup> The construction of King's Way Apartments was financed through the U.S. Department of Agriculture's Rural Development Housing & Community Facilities Program which offers low- or no-interest mortgages through its Section 515 Rural Rental Housing program with terms of 50 years to housing developments serving very low- to moderate-income households. The mortgage was secured on July 1, 1995 and will be paid off in 2045. The project also received a Low Income Housing Tax Credit (LIHTC) that was delivered through the New Jersey Housing and Mortgage Finance Agency. The LIHTC agreement places an easement and restrictive covenant on the property that restricts occupation of the units to low income households for a period of 30 years from the date of July 1, 1995.<sup>3</sup> The project is administered by Lower County Property Management, Inc. of Sicklerville, New Jersey.

<sup>2</sup> See Digital Appendix for a copy of the Resolution of Approval.

<sup>3</sup> See Digital Appendix for a copy of the Mortgage and Deed of Easement and Restrictive Covenant.

King's Way Apartments are located at One Lore Drive, on the eastern side of King's Highway. The lot is 3.14 acres in size, and the project was constructed at a density of 11.5 units per acre with a 100 percent set-aside. The site is surrounded by the Westrum site to the north and east, which is currently being developed for residential use, single-family residential uses to the west, and a commercial use to the south.

Swedesboro is entirely located in State Development and Redevelopment Plan Planning Area 2, and therefore the location of this site is consistent with the policies and principles of the State Plan which calls for development in Centers and Planning Areas 1 and 2.

### **Valley View Land Co., Inc. Site**

Per the Settlement Agreement between Valley View Land Company, Inc., Swedesboro 131, LLC, the Borough of Swedesboro and Borough of Swedesboro Planning Board dated January 21, 2007,<sup>4</sup> the Borough rezoned Block 52, Lots 1 and 13 (see Appendix 3 for mapping) from Highway Commercial to R-3 Multiple Family Residence District via Ordinance 2006-11 to permit multi-family housing units including up to 18 affordable non-age-restricted units (9 low- and 9 moderate-income) on a 27-acre site at a density of 5.19 units per acre and a 12.85 percent set-aside, consistent with COAH's rules in effect at the time of the settlement. The site plan submitted for the site, which is pending Planning Board approval, shows 131 units, including 18 affordable units.

The site was found approvable, available, developable and suitable by the Court Master in his Master's Report dated May 22, 2007.<sup>5</sup> Beginning on Page 4, the Master's Report finds:

*The site is approvable as defined in COAH's substantive rules, N.J.S.A. 5:93-1.3. The Settlement Agreement requires Valley View to submit a subdivision application to the Borough of Swedesboro that is substantially in accordance with the Plan. While the site was zoned Highway Commercial (a district which does not permit residential development), the Agreement requires the Borough to rezone the site R3 Multiple Family Residence District. The Borough implemented the rezoning by Ordinance 2006-11, and the Plan is generally consistent with the R3 Multiple Family Residence District standards.*

*As shown on the Plan, wetlands are located on the eastern portion of lots 1 and 13; however, the area constrained by wetlands and the wetland buffers are not proposed for development. In addition, a small portion of Lot 1 has steep slopes; however, the constrained area is not proposed for development.*

*The site is available. Valley View has represented that it possesses clear title to the land and the only encumbrances on the site, a conservation easement, a drainage easement, and wetlands with an associated transition area buffer, will not undermine the availability of the site. The ten foot (10') drainage easement will be located along the frontage of Ogden Road. This easement is within the required side yard setback of the proposed R3 Multiple Family Residence District and thus will not*

<sup>4</sup> See Digital Appendix for a copy of the Settlement Agreement.

<sup>5</sup> See Digital Appendix for a copy of the Court Master's Report dated May 22, 2007.

*impede the development of the site. The conservation easement and the wetlands buffer area, located along the rear of the yards associated with the southern property line, will not affect the site's availability for development.*

*The difficulty in bringing water and sewer service to the Plaintiff's site was the issue which eventually led to the filing of the builder's remedy litigation. Consequently, the developability of the site is covered thoroughly in the Settlement Agreement. The parties have agreed that water and sewer service can be extended to the site; however, their mutual cooperation will be required to accomplish this in the near term. I am satisfied that the provisions set forth in this Agreement to facilitate the construction of the necessary lines, the reservation of capacity and the regulation of connection fees are fair and provide a sound framework for the parties to work together to access these utilities. Consequently, I find the site realistically developable.*

*The site is suitable. The site is surrounded primarily by undeveloped land with the exception of a low density commercial development located to the southwest of the site and two residential structures to the northwest of the site. The 140 residential units will be located in two sections, both of which have access to Woodstown Road, also known as Gloucester County Route 605, just south of its intersection with Kings Highway.*

After site plan approval is granted, the Borough will enter into an agreement with Housing Affordability Services or a similar qualified entity, to monitor the sales and re-sales of the units. The costs to administer the initial sales of the affordable units will be funded by the Developer.

The developer will be responsible for constructing the units in accordance with the New Jersey Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80. The Borough will also adopt an Affirmative Marketing Ordinance to regulate the units.<sup>6</sup> The Settlement Agreement also stipulates that the Borough will be able to exempt 4.7 times every affordable unit produced in the project from the Borough's Round III growth share obligation, therefore when the units are CO'd, the Borough will be able to subtract them from the actual growth calculation.

## **Prior Round Rental Obligation, the Senior Cap and Rental**

### **Bonus Credits**

According to N.J.S.A. 5:97-3.10, the Borough's prior round rental obligation is 6, based upon the following calculation:

$$0.25[\text{Prior Round Obligation} - \text{Prior Cycle Credits}] \\ (0.25)*(23-0)=6$$

<sup>6</sup> See Appendix 1 for Draft Affordable Housing and Affirmative Marketing Ordinance.

According to N.J.S.A. 5:97-3.10, the maximum number of age-restricted units that can be credited for the prior round is 8, based on the following calculation:

$$\begin{aligned} &0.25[\text{Prior Round Obligation} - \text{Prior Cycle Credits} + \text{Rehab Share} \\ &\quad - \text{Rehab Credits- RCA units}] \\ &\quad (0.25)*(23-0+9-0-0)=8 \end{aligned}$$

The Borough proposes to satisfy the entire 6-unit prior round rental obligation with 8 units from the King's Way Apartments senior rental project. The Borough also requests 3 rental bonus credits for the King's Way Apartments project, because all 8 units are eligible for a rental bonus credit of 1.33 per unit.

$$\begin{aligned} &8*0.33=2.64 \text{ round to } 3 \\ &3 \text{ is } 50 \text{ percent of the rental obligation of } 6 \end{aligned}$$

## **Rehabilitation Obligation**

The Borough's updated cumulative rehabilitation share for the 1987-2018 period is 9 units. The Borough plans to meet the 9-unit obligation as part of this plan through its new rehabilitation program that has been established to utilize RCA monies provided by Woolwich Township.<sup>7</sup> The manual that the Borough proposes to use is the REGIONAL CONTRIBUTION AGREEMENT (RCA) HOME IMPROVEMENT LOAN PROGRAM POLICY AND PROCEDURE MANUAL dated August 2008 (see **Digital Appendix**). It is a stream-lined version of the "Regional Contribution Agreement Project Plan" for the Rehabilitation Assistance Program of the Borough of Swedesboro dated August 4, 2004, which was approved by Gloucester County and COAH. The August 2008 manual will be submitted to COAH for approval.

The Borough will fund the 9-unit obligation independent of the RCA-funded units first through the collection of non-residential developer's fees, second through funding such as the Balanced Housing Fund, CDBG monies, etc., and if necessary through money obtained from bonding. The Borough will commit to bond for any shortfall, to be reimbursed by non-residential developer's fees as they accrue. A Spending Plan is included in **Appendix 2**.

The rehabilitation program is currently administered by Ronald Conklin. Mr. Conklin also serves as the Borough's Affordable Housing Liaison.

## **Summary**

Based on the foregoing, and as illustrated in the table below, the Borough has totally satisfied the new construction component of its 1987-1999 prior round obligation. In fact, the Borough has an excess of 28 units from the King's Way Apartments site and 6 excess units from the Valley View project that will be carried forward to the Round III obligation.

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<sup>7</sup> The Borough has entered into an agreement with Woolwich Township to receive \$250,000 by the end of 2009, which will rehabilitate at least 10 units of substandard housing.



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Table 16: PRIOR ROUND AFFORDABLE HOUSING PLAN SUMMARY

<u>Units Used to Satisfy Prior Round Obligation</u>	
I. Prior Round Affordable Housing Obligation (1987-1999)	23
II. Crediting	
A. Construction Component	
1. Prior Cycle Credits (units created between 4/1/80 and 12/15/86)	0
2. Units created after 12/15/86	
a. King's Way Apartments (1995) – 36 senior rental units	8
3. Inclusionary development	
a. Valley View Land Co. (zoned) – 18 family for-sale units	12
4. Rental Bonus Credits	
a. King's Way Apartments (1995) – 36 senior rental units	3
Total Rental Bonus Credits	3
Total Credits Construction Component	23
B. Rehabilitation Component - Number of Units Rehabbed after 4/1/00	
1. Swedesboro Rehabilitation Assistance Program (proposed)	9
Total Credits Rehabilitation Component	9

## ROUND III COMPLIANCE PLAN

Prior round surplus credits and inclusionary zoning will be used to address the Borough's growth share obligation.

### Prior Round Surplus Credits

Excess units from two prior round projects will be used to satisfy a portion of the Round III obligation:

1. Twenty-two senior rental units from King's Way Apartments (a 36-unit project) will be used in Round III up to the senior cap, which is 22 units ( $91 \times 0.25 = 22$ ), and the remaining 6 units will be carried forward to Round IV. The Round III rental obligation is 23 units ( $91 \times 0.25 = 23$ ); of which King's Way will satisfy 11 (less than 50 percent).
2. The remaining 6 units of family for-sale housing from Valley View will also be carried forward to Round III.

### Inclusionary Sites

Several inclusionary residential sites are proposed on (1) vacant land in both residential and non-residential zones, (2) non-conforming commercial sites in residential zones and (3) commercial sites in non-residential zones. COAH's analysis of the amount of vacant developable land in the Borough is incorrect, as much of the land has development approvals and is in fact under construction. Therefore, the few remaining parcels that are truly vacant will be zoned for inclusionary housing; the remainder of the inclusionary sites will be comprised of developed sites that are considered appropriate for inclusionary housing when they are redeveloped. The sites chosen either contain non-conforming uses or uses that are no longer considered appropriate for the lot.

Proposed density has been established to create incentives for the production of affordable housing, and permitted housing type is based on what is suitable for the area as well as to provide additional incentives for the production of affordable housing. Every site will be required to provide set-aside 13 percent of all affordable units for very-low-income households per the recent amendment to the New Jersey Fair Housing Act. Cash assistance from the Borough may be available to make the very-low-income units more feasible to property owners or facility managers if there are sufficient funds in the Affordable Housing Trust Fund accrued from the mandatory Developer's Fees.

### **Swedesboro Auction Site (Block 4, Lot 1; Block 6, Lot 1)**

This site is over 3.6 acres in area, including a vacation of the roadway between the lots, and currently contains the Swedesboro Auction. There are 2 deteriorating structures on-site; however a majority of the site is vacant and unimproved. It is located in the R-2 Residential Zone, in a designated Redevelopment Area. The auction company plans to stay on 1/3 of the site, leaving approximately 2.41 acres for development.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
4 & 6	1 & 1	Swedesboro Auction	PA2	R-2 Redevelopment Area	2.41	Vacant and auction buildings	12 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. Surrounding land uses are generally residential. The site is located on the southeastern corner of Fow and Locke Avenues and has access to three public streets.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain freshwater wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources.

### Block 5, Lot 1

This site is 1.15 acres in area and currently contains a non-conforming light industrial use. There are occupied structures on-site. The site is located in the R-2 Residential Zone, in a designated Redevelopment Area.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
5	1	Ober	PA2	R-2 Redevelopment Area	1.15	Light industrial	6 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. Surrounding land uses are generally residential. The site is located on the southeastern corner of West Broad Street and Leahy Avenue. The site has access to three public streets.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain freshwater wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources.

### Block 3, Lot 1

This site is 0.84 acres in area and currently contains a non-conforming light industrial use. There are occupied structures on-site. The site is located in the R-2 Residential Zone, in a designated Redevelopment Area.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are

permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
3	1	GBH Fabricating	PA2	R-2 Redevelopment Area	0.84	Light industrial	4 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. Surrounding land uses are generally residential. The site is located on the southeastern corner of Fow and Leahy Avenues. The site has access to 3 public streets.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain freshwater wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources.

### Block 33, Lot 1

This site is located in the LM Light Manufacturing Zone, and currently contains an abandoned, deteriorating warehouse structure. The site is located in a designated Redevelopment Area on Locke Avenue.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
33	1	Hoerter Provision Co, Inc.	PA2	LM Redevelopment Area	3.72	Abandoned warehouse	19 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are title issues with this property that have limited its redevelopment. The Borough is willing to assist a prospective redeveloper with acquisition of the property pursuant to the powers granted to the Redevelopment Entity under the Local Redevelopment and Housing Law.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site is located on, and has access to, Locke Avenue (CR 671). The land across Locke Avenue is open space and institutional land owned by Gloucester County and Woolwich Township. The adjacent warehouse properties are not so noxious as to preclude residential development in this location. The adjacent Conrail rail line is a freight line that is used infrequently and is not planned for commuter rail.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain freshwater wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources. It is not a Known Contaminated Site.

### Block 35, Lot 2

This site is located in the LM Light Manufacturing district in a designated Redevelopment Area, and currently contains a pallet manufacturing company. This site is no longer deemed suitable for the current use, and is therefore proposed as an inclusionary site. If the developer of the site desires to acquire adjacent sites with similar manufacturing uses for affordable housing, the Borough will consider amending the plan to include those sites for multi-family use as well.

This site is appropriate for multi-family housing developed at a density of up to 15 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
35	2	Kiefer	PA2	LM Redevelopment Area	2.39	Pallet mfg.	9 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access to Second Street and Grant Avenue. Land uses across these streets is residential.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain freshwater wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources. It is not a Known Contaminated Site.

### **Block 14, Lots 4 & 5.01; Block 15, Lot 3**

This site is located in the LM Light Manufacturing Zone, and currently contains a car wash on Block 14 and vacant land on Block 15. This site is located on a residential block and is considered appropriate for inclusionary housing.

This site is appropriate for multi-family housing developed at a density of up to 15 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
14	4, 5.01	Ferguson, David P & Lori A	PA2	LM	0.80	Car wash	3 rental
15	3	Ferguson, Lori A.	PA2	LM	1.10	Vacant	4 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.

- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access primarily to Helms Avenue, and is located on a residential block.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- According to available site mapping, the site does not contain freshwater wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources. It is not a Known Contaminated Site.

### Block 52, Lot 2

This site is located in the C Commercial Zone, and is currently utilized for overflow parking from the car dealer across King's Highway. The site is located within 0.5 miles of the King's Highway/Centre Square Road bus stop on the 401 line between Salem and Philadelphia/Camden and is therefore eligible for Transit Oriented Development bonus credits if family rental units are constructed on-site.

This site is appropriate for multi-family housing developed at a density of up to 15 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
52	2	R&D Real Estate Devel. Inc.	PA2	Commercial	4.98	Vacant	15 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has an easement that provides access to King's Highway. The site is located between the Valley View Land Co. site and the King's Way Apartments.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within ½ mile of a bus stop. The site is, therefore, eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.



- According to available site mapping (see **Digital Appendix**), the site contains wetlands in the rear portion, however it is estimated that over 70 percent of the site is uplands. To be conservative, the site's yield has been based on an area of 3 acres.
- According to available site mapping, there is no floodplain.
- The site is relatively flat, however may be sloped in the area along the streambank at the rear of the site. This area is located in wetlands and is not developable anyway.
- There are no historic or cultural resources on-site. The site is not a Known Contaminated Site.

### **DelMonte Site (Block 23, Lots 1 & 2)**

This site is located on Broad Street in a designated Redevelopment Area and is zoned Light Manufacturing. The lot is currently vacant and unimproved, although it previously contained warehouses utilized for DelMonte operations.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
23	1, 2	DelMonte	PA2	LM - Redevelopment Area	6.31	Vacant	32 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see **Appendix 3** for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access to Water and Third Streets, and abuts a residential area and cemetery as well as an enclosed warehouse.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain wetlands, and may contain Bald Eagle foraging habitat on its periphery along the Creek. The site is steeply sloped up

from the river for a short way and then the majority of the site is a flat plateau. This is why there are wetlands and floodplain only on the periphery of the site. The vast majority of the site is unconstrained. There are no historic or cultural resources on-site, and it is not a Known Contaminated Site.

### Block 23, Lot 8

This site is located on Water Street in the R-2 Zone in the designated Redevelopment Area. The lot currently contains an occupied non-conforming commercial use.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
23	8	JT Properties LLC	PA2	R-2 – Redevelopment Area	1.12	Commercial	6 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access to Water Street, and is located in a residential area.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- The environmental conditions on this site are similar to those on adjacent Block 23, Lot 1. The rear of the property drops to the river, resulting in limited on-site wetlands or floodplain. There is potential Bald Eagle foraging habitat on-site, however the site is currently developed, which means that the impact of a potentially wider wetlands buffer will be tempered. There are no State-delineated floodplains on site, slopes in excess of 15 percent or historic or cultural resources on-site. It is not a Known Contaminated Site.

### Block 29, Lot 26

This site is located on Glen Echo Avenue in the R-2 Zone. The lot currently contains a non-conforming autobody repair use.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
29	26	Convery	PA2	R-2	3.1	Commercial	3 rental

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access to Glen Echo Avenue, and is located in a residential area.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- A significant portion of this site is cleared and flat, and the front portion of the site contains a building. According to available site mapping, the site may contain wetlands in the rear portion of the site's frontage along Church Run, and the area may contain Bald Eagle foraging habitat which may increase the required width of a wetlands buffer. Until the wetlands are delineated, the impact of the wetlands and buffer will not be known. Church Run, the waterbody located adjacent to the site, is not State-delineated; however FEMA mapping indicates that the 100-year floodplain closely follows the streambank because it is steeply sloped. Slopes in excess of 15 percent are limited to the site's streambank frontage and along the northern property line. It is estimated that over 80 percent of the site is unconstrained. To be conservative, the site's yield has been based on an acreage of 0.6.
- There are no historic or cultural resources on-site. It is not a Known Contaminated Site.

### Block 26, Lots 6 & 7

This site is located on the southwestern corner of Second Street and Ashton Avenue in the LM and Commercial Zone in the designated Redevelopment Area. Lot 7 currently contains a pallet manufacturing company and Lot 6 contains a parking area for the pallet company. This site is

planned for a more downtown-oriented development, and has been found suitable for multi-family use.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted, this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
26	6, 7	CCL Container	PA2	LM and C – Redevelopment Area	0.70	Pallet mfg.	3 rentals

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access to Second Street and Franklin Street is located in a mixed-use downtown and residential area.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain mapped wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources. It is not a Known Contaminated Site.

### **Block 29, Lots 1 & 2**

This site is located on King's Highway in the Commercial Zone in a designated Redevelopment Area. The lots are currently vacant and utilized for overflow or possibly employee parking at Botto's catering facility across the street. This site is planned for a downtown-oriented development, and has been found suitable for multi-family use.

This site is appropriate for multi-family housing developed at a density of up to 20 units per acre. Because substantially more than 12 units per acre and a multi-family housing type are permitted,

this site is considered to provide sufficient incentives for the production of rental housing. A 25 percent set-aside will be required.

Block	Lot	Property Owner	State Planning Area	Existing Zone	Lot Size (Acres)	Current Use	Affordable Unit Yield
29	1, 2	Botto	PA2	C - Redevelopment Area	0.47	Vacant	2 rentals

The proposed site complies with N.J.A.C. 5:97-3.13 that requires all new construction sites to be available, approvable, developable and suitable. This consistency is demonstrated as follows (see Appendix 3 for site mapping):

- There are no known encumbrances that would prohibit or otherwise impact the development of the property in general.
- The site has access to appropriate streets and is adjacent to compatible land uses. The site has access to King's Highway and is located in a downtown, mixed-use and residential area.
- It is anticipated that the site can be developed consistent with the Residential Site Improvement Standards.
- The site location is consistent with the State Development and Redevelopment Plan. It is located in Planning Area 2 where development is encouraged.
- The site is located within a designated redevelopment area, and is therefore eligible for 1.33 credits per unit up to the rental cap if at least 50 percent of the units are family rentals.
- According to available site mapping, the site does not contain mapped wetlands, floodplain, slopes in excess of 15 percent or historic or cultural resources. It is not a Known Contaminated Site.

## **Discussion on Water and Sewer Capacity**

COAH's rules require that there be adequate sewer and water capacity, as defined under N.J.A.C. 5:97-1.4, to serve affordable housing sites. The entire Borough is located in a sewer and public water service area. The Borough operates its own wastewater treatment plant. According to the Borough Engineer's office, the Borough's system is presently capable of processing a maximum of 350,000 gallons per day (GPD). Through August of 2005, the average daily flow for sewer within the Borough was 262,150 GPD, or 74.9 percent of maximum. Committed Flow<sup>8</sup> from large-scale

<sup>8</sup> "Committed Flow" is defined as "the sum of the actual flow plus the sum of all flows which are anticipated from connections which have been approved but are not yet in operation." N.J.A.C. 7:14A-1.2.

approved projects including Chestnut Hill, Westrum and Valley View is estimated<sup>9</sup> at an additional 77,025, leaving a surplus of 25 GPD.

The 25 GPD surplus, however, does not factor in the sanitary sewer system improvements proposed and currently under construction by Westrum. Westrum is constructing a new sanitary sewer main along the westerly side of King's Highway from about 550± feet south of South Avenue to Church Street. The existing sewer system is over 100 years old and constructed of vitrified clay pipe. The new sewer main will replace the existing wastewater collection system. Over a mile (5,430 linear feet) of sewer main is proposed for construction, comprised of 10-inch and 12-inch polyvinyl chloride (PVC) pipe. The existing sewer pipe has a joint every 3 feet. Those joints are bell and spigot slip-on joints, which are not gasketed. Such joints are subject to infiltration of groundwater and root-intrusion from deep-rooted trees. Video studies of the Swedesboro system have shown that considerable quantities of groundwater infiltrate into the system through the old, leaky joints in the sewer main. Accordingly, it is estimated that a significant amount of storm- and groundwater that currently infiltrates the wastewater system will not do so once the pipes are replaced. The new system will meet the NJDEP requirement for limitation of infiltration rate to no more than 50 gallons per inch per mile of pipe. The actual surplus that the new infrastructure will provide cannot be effectively measured until the improvements have been completed, although it may be in the range of 100,000 GPD during significant storm events. The Borough estimates that there is adequate sewer capacity for new projects, however does not definitively know what that capacity is at this point.

The Borough of Swedesboro operates its own water facility. The Borough is permitted to divert up to 1,296,000 gallons per day from its three wells. The Borough's Water Allocation Permit limits discharge to 900 gallons per minute, which equates to 1,296,000 GPD, however, the licensed operator of the Borough's system indicates that the system is limited to processing a maximum of 468,000 GPD.

Data reveals that the Borough is actually processing a total of 317,000 GPD. The peak daily demand is based upon the current record peak monthly demand over the past 5 years (as of August 2006). Therefore, considering the conservative capacity estimate of 468,000 GPD and the actual usage of 317,000 GPD, there is approximately 151,000 GPD in available capacity. Current Pending Water Demand is estimated at 113,280 GPD,<sup>10</sup> leaving an excess of 37,720 GPD. This excess capacity is anticipated to increase upon the completion of Westrum's water main improvements along King's Highway, however the specific increase in capacity is not yet known. Westrum is proposing to construct a new water main along the easterly side of King's Highway, from about 350± feet south of South Avenue to Chestnut Street, replacing undersized water mains.

9 In determining the per-unit capacity demands for this project, pursuant to N.J.A.C.7:14A-23, one bedroom townhouse units will create a demand of 150 GPD; two bedroom units create a demand of 225 GPD; and three bedroom units create a demand for 300 GPD.

10 Pursuant to N.J.A.C. 5:21-5.3 and 7:10-12.6, one bedroom townhouse units will create a demand of 125 GPD; two bedroom units create a demand of 150 GPD; three bedroom units create a demand for 210 GPD, 3-bedroom single-family detached homes create a demand for 320 GPD, and 4-bedroom single-family detached homes create a demand for 395 GPD.

In summary, the excess capacity in water and sewer infrastructure is not currently quantifiable because improvements are currently under construction; however capacity issues apply to the entire Borough and not just the affordable housing sites. If an inclusionary project and a non-inclusionary project request allocations within the same timeframe, the Borough use the powers available to it to ensure that the inclusionary site receive its allocations first.

## **Developer's Fee Ordinance**

In order to fund the rehabilitation program and to help make very-low-income units more feasible to developers, the Borough proposes to utilize the fees it accrues from a developer's fee ordinance, which will be adopted independently from this Plan. A Spending Plan has been provided in **Appendix 2**.

## **Summary of Round III Plan Compliance**

The projects and credits the Borough proposes that will provide a realistic opportunity for the production of affordable housing include the following. The Borough will re-zone the inclusionary sites within 45 days of Judgment of Repose per COAH's rules:

**Table 17: ROUND III NEW CONSTRUCTION AFFORDABLE HOUSING PLAN SUMMARY**

	Affordable Units
I. Growth Share Projection (2004-2018)	91
II. Crediting	
A. Prior Round Projects	
1. King's Way Apartments (occupied) - 36 total senior rental units	22
2. Valley View Land Co. (zoned) - 18 total family for-sale units	6
B. Round III Inclusionary Sites	
1. Block 4, Lot 1; Block 6, Lot 1	12
2. Block 5, Lot 1	6
3. Block 3, Lot 1	4
4. Block 33, Lot 1	19
5. Block 35, Lot 2	9
6. Block 14, Lots 4 & 5.01; Block 15, Lot 3	7
7. Block 52, Lot 2	15
8. Block 23, Lots 1 & 2	32
9. Block 23, Lot 8	6
10. Block 29, Lot 26	3
11. Block 26, Lots 6 & 7	3
12. Block 29, Lots 1 & 2	2
Subtotal	146

C. Potential Redevelopment Area and Transit-Oriented Development Bonus Credits	# Not to exceed rental obligation (25% of growth share)
1. Block 4, Lot 1; Block 6, Lot 1	4
2. Block 5, Lot 1	2
3. Block 3, Lot 1	1
4. Block 33, Lot 1	6
5. Block 35, Lot 2	3
6. Block 52, Lot 2	5
7. Block 23, Lots 1 & 2	10
8. Block 23, Lot 8	2
9. Block 26, Lots 6 & 7	1
10. Block 29, Lots 1 & 2	1
<b>Subtotal</b>	<b>35</b>

### Round III Rental Obligation, the Senior Cap and Rental Bonus Credits

The rental obligation component of the Borough's growth share obligation is 25 percent of the growth share obligation. If the 91-unit growth share projection is utilized, the rental obligation is as follows:

$$0.25[91]=23$$

One-half, or 12 units, can be senior rentals. A realistic opportunity for rental units is provided by the following projects:

	# Units
I. Projected Rental Obligation	23
II. Crediting	
A. Prior Round Projects	
1. King's Way Apartments (occupied) - 36 total senior rental units	12
B. Round III Inclusionary Sites	
1. Block 4, Lot 1; Block 6, Lot 1	12
2. Block 5, Lot 1	6
3. Block 3, Lot 1	4
4. Block 33, Lot 1	19
5. Block 35, Lot 2	9
6. Block 14, Lots 4 & 5.01; Block 15, Lot 3	7
7. Block 23, Lots 1 & 2	32
8. Block 23, Lot 8	6



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	# Units
9. Block 29, Lot 26	3
10. Block 26, Lots 6 & 7	3
11. Block 29, Lots 1 & 2	2
12. Block 52, Lot 2	15
<b>Total</b>	<b>130</b>

The senior cap of the Borough's growth share obligation is 25 percent of the growth share obligation. If the 91-unit growth share projection is utilized, the senior cap is as follows:

$$0.25[91]=22$$

Only 22 units of King's Way Apartments are proposed for crediting for Round III. The excess units will be carried forward toward future housing rounds.

Rental bonus credits are available for projects in designated redevelopment areas and projects in Transit-Oriented Developments located within ½ mile of a transit stop. The total rental bonuses may not exceed the rental obligation. In the case of the Borough's growth share projection this would be 23 units. A majority of the inclusionary sites are potentially eligible for this 1.33 credit per family rental unit constructed on site. The sites that are potentially eligible for this credit, and an estimation of the number of credits potentially available, include the following:

Potential Redevelopment Area and Transit-Oriented Development Bonus Credits	Potential Credits
<b>A. Round III Inclusionary Sites - Redevelopment Area Bonus</b>	
1. Block 4, Lot 1; Block 6, Lot 1	12
2. Block 5, Lot 1	6
3. Block 3, Lot 1	4
4. Block 33, Lot 1	19
5. Block 35, Lot 2	9
6. Block 23, Lots 1 & 2	32
7. Block 23, Lot 8	6
8. Block 26, Lots 6 & 7	3
9. Block 29, Lots 1 & 2	2
<b>B. Round III Inclusionary Sites - TOD Bonus</b>	
1. Block 52, Lot 2	15
<b>Total</b>	<b>108</b>

## **APPENDIX 1**

### **Draft Ordinances**

BOROUGH OF SWEDESBORO  
ORDINANCE NO. XXXX-

**DRAFT**

AN ORDINANCE OF THE BOROUGH OF SWEDESBORO,  
COUNTY OF GLOUCESTER AND STATE OF NEW JERSEY,  
AMENDING THE LAND USE ORDINANCE OF THE BOROUGH  
OF SWEDESBORO FOR THE ESTABLISHMENT OF NEW SECTIONS FOR AFFORDABLE HOUSING

**BE IT ORDAINED AND ENACTED** by the Governing Body of the Borough of Swedesboro in the County of Gloucester, State of New Jersey, that Chapter 118, Zoning, is hereby amended by adding new sections as follows:

**SECTION I. Chapter 118, Zoning, of the Code of Swedesboro Borough is hereby amended by adding new sections as follows:**

**§ 118-5. Definitions.**

The following definitions shall be added:

**TOWNHOUSE** - A dwelling in a row of at least three similar units in which each unit has access to the front and rear of the building, no unit is located over another unit, and each unit is separated from any other unit by vertical walls. **TOWNHOUSE** shall include **TOWNHOUSE-OVER-TOWNHOUSE**.

**TOWNHOUSE-OVER-TOWNHOUSE** - A building designed for and occupied exclusively as residences with no less than four (4) and no more than sixteen (16) separate and distinct one-family dwelling units, in which one dwelling unit is wholly or partially above another dwelling unit and both units are separated from the adjoining unit(s) by a common party wall.

**§ 118-13.2. Residential Inclusionary Zones.**

- A. There shall be an affordable housing set-aside for each residential development developed that creates a growth share obligation per COAH's rules of 1 or more units. Each such development shall include a twenty-five percent set-aside of total units for affordable housing.
- B. A 13 percent very-low-, a 44 percent low-, and a 43 percent moderate-income split shall be required. A cash subsidy may be available from the Borough to assist in the creation of very-low-income units if the Borough is permitted by COAH to retain its residential and non-residential developer's fees.
- C. No affordable units shall be required if the project's growth share per COAH's rules is less than one whole unit.
- D. The residential set-aside shall be a whole number and shall be rounded up in all cases except when the obligation is less than one whole unit.
- E. Affordable units shall be created on-site.

F. Incentives. Incentives to create affordable housing in this zone include the following:

1. Residential units shall be permitted at maximum densities greater than currently permitted, and/or in locations where residential uses are not currently permitted as-of-right.
2. Multi-family housing types shall be permitted where they are not currently permitted.
3. Residential parking standards shall be consistent with the Residential Site Improvement Standards, and *de minimis* waivers may be granted.
4. Parking beneath structures shall be permitted.

G. Zoning Criteria:

1. Compliance with the "Zoning Schedule for Residential Inclusionary Zones" shall be required.
2. Principal building setbacks: In order to encourage variety in building façades, there are permitted encroachments where portions of the building and unenclosed porches, stoops, stairs, decks and balconies may encroach into all required yard areas.
  - a. Permitted building façade encroachment into any required yard area comprising less than 50% of the façade: 5'
  - b. Permitted unenclosed balconies and decks encroachment and any supporting structures comprising less than fifty (50) percent of the façade.
  - c. Setbacks from buildings to parking lots shall be 15'.
3. Standards for Townhouse:
  - a. Townhouse unit widths shall average a minimum of eighteen (18) feet wide but in no case shall any unit be less than sixteen (16) feet wide.
  - b. Townhouse dwellings shall not exceed eight (8) units per building.
  - c. Off-street parking shall be provided either in a lot or in association with each individual unit. Parking may be provided in a private garage behind the unit (rear-loaded), or in an attached garage at the front of the unit (front-loaded). A front-loaded garage shall not extend more than 7' from the building face. Rear-loaded garages may be attached or detached.
  - d. Standards for front-loaded garages.
    - i. Minimum front yard setback for units with front-loaded garages shall be 20' from the street.
    - ii. Minimum distance between rear-facing buildings shall be 40'.
    - iii. Minimum distance between front-facing buildings shall be 65'.
    - iv. Minimum distance between side-facing buildings shall be 7'.
    - v. Minimum setback from a side property line shall be 15'.
    - vi. Rear yard setback to a street or rear property line shall be 20'.
  - e. Standards for rear-loaded garages.

- i. Minimum front yard setback for units with rear-loaded garages shall be 5' from the street.
  - ii. Minimum distance between rear-facing principal buildings shall be 40'.
  - iii. Minimum distance between rear-facing garages shall be 24'.
  - iv. Minimum distance between side-facing buildings shall be 7'.
  - v. Minimum distance between detached garages may be 0' if the garage is shared.
  - vi. Minimum principal building or garage setback from a rear property line shall be 25'.
  - vii. Minimum setback to a side property line shall be 15'.
4. Standards for Apartments:
- a. One-bedroom and studio units shall be no less than 450 square feet in area. Two-bedroom units shall be no less than 650 square feet in area and three-bedroom units shall be no less than 800 square feet in area.
  - b. Building setback from the front property line shall be 15'.
  - c. Building setback from side property lines shall be 15'.
  - d. Building setback from rear property lines and rail lines shall be 25'.
  - e. Building setback from parking areas shall be at least 15'.
  - f. In the RI-20-8 and RI-20-9 Zoning Districts, building setback from a front property line shall be 5'; setback from side property line shall be 7' and setback from a rear property line shall be 20'.
- H. Accessory uses: Accessory uses which are customarily incidental to the principal use shall be permitted. Individual sheds for unit owners shall be permitted only in conjunction with major site plan approval for the site.
- I. Maximum Accessory Building or Structure Height: 12' / 1 story.
- J. Accessory Building Setbacks: Accessory buildings and structures including shared parking garages, private garages, sheds, rear loaded surface and structured parking and trash enclosures shall not be located in the front yard and shall not be located closer than twelve (12) feet to the principal building. Where lots or parcels cannot be accessed from the rear, enclosed and surface parking shall be permitted twenty (20) feet behind the front building face.
- K. General height exceptions: The maximum building height set forth above shall not apply to any of the following structures or appurtenances: (1) architectural ornamentation including cupolas, domes, monuments, flagpoles, masts, aerials, and/or equipment and elevator penthouses and like structures require to be placed above the roof deck/ slab and not intended for human occupancy; (2) roof top equipment, air-conditioning compressors, air handlers, chimneys, smoke stacks, and the materials and structures used to screen such equipment including parapets, mansards, louvers, grillage, and ornamental roofing, provided however, no structure or appurtenances described shall extend to a height exceeding eighteen (18) feet above the Maximum Principal Building Height.
- L. Informal plan review recommended.

1. It is strongly recommended that Applicant appear before the Board for informal review of a concept plan for the project prior to the submission of any site plan application.
2. The concept plan should indicate the location of roadways, pedestrian paths, open space and recreation areas, buildings, driveways and other above-ground site improvements. The number of proposed units, unit types and orientation of buildings should also be provided, as well as architectural sketches of proposed buildings.

M. Supplemental Design Standards.

1. The layout of the project should be designed so that, to the extent feasible, the rear of dwellings do not face a public street, and on-site parking is either rear- or alley-loaded or located behind the front building line.
2. Buildings shall be designed to have an attractive, finished appearance from all public spaces, waterways, public streets, railroad rights of way, and adjacent residential uses.
3. Buildings shall have fenestration and design elements including decorative windows, operating windows, louvers, shutters, cornerstones, keystones, and/or wide window frames to prevent large expanses of blank walls.
4. All pedestrian entryways and or lobbies shall be prominent, well-lit and separate from service entrances, and shall be elevated a minimum of eighteen (18) inches and a maximum of thirty (30) inches above adjacent sidewalks.
5. Building entrances, crosswalks, access points, and other pedestrian amenities shall be clearly defined through the use of detailed paving, architectural treatment and site furnishings.
6. Enclosed or roofed bicycle storage areas shall be provided at the rate of at least 2 spaces per unit.
7. All units shall be provided an enclosed storage area either indoors or outdoors to prevent outdoor clutter of items such as bicycles, grills and outdoor furniture.
8. Building fronts of separate buildings shall be arranged so that front facades face front facades, even as related to dwellings outside the development project boundary.
9. Corner buildings shall present a finished façade to all streets.
10. Privacy fencing should be used to screen private outdoor areas from the public viewshed.
11. Grounds shall be maintained by a Homeowner's Association or similar entity, not individual unit owners.
12. Trash enclosures should be constructed on three sides of 6' high masonry finished to match the principal structure.
13. Sidewalk shall be provided along all public roadway frontages.
14. Architectural drawings, under seal, shall be submitted for Board review. Buildings shall be designed to be attractive from all vantage points and quality materials shall be utilized.
15. Sites 5 acres and larger shall provide on-site open space and recreation for property residents at the minimum rate of 2,500 SF per acre. This space should include outdoor seating and eating areas, a tot lot and walking paths.

16. Sites located on the Raccoon Creek shall allow the Borough a first right of refusal to purchase a public access easement to the Creek and along the Creek at a width of approximately 15'.
17. Residential developments of 50 or more units should provide outdoor seating and eating areas and a tot lot on-site. At least fifty (50) percent of the parking area shall be shaded by shade trees at tree maturity. The perimeter of the parking area should be landscaped and screened from residences. Large concentrations of surface parking shall be avoided.
18. Parking spaces should not be required for on-site recreational facilities.
- N. The affordable units shall be designed, constructed and sold/leased in a manner that makes them eligible for crediting pursuant to COAH's rules governing including but not limited to low- and moderate-income split, bedroom distribution, phasing, deed restrictions and marketing. They shall be integrated into the overall project.
- O. Nothing in this section shall restrict or limit the powers of the Planning Board and discharge of its statutory responsibilities, including its review of and granting or denial of a development application for the site, under the Municipal Land Use Law, the ordinances and codes of the Borough of Swedesbor, other state or federal regulatory requirements, or any other applicable law.

**"Zoning Schedule for Residential Inclusionary Zones"**

Zone	Bl./Lot	Min. Lot Size	Min. Set-Aside (%)	Permitted Residential Gross Density (du/acre)	Permitted Housing Type	Max. Bldg. Coverage	Max. Total Impervious Coverage	Max. Bldg. Ht. (stories/feet)
RI-20-1	4/1; 6/1	2.41	25	20	Twnhs. Or Apt.	50	80	3/30
RI-20-2	5/1	1.15	25	20	Twnhs.	50	80	3/30
RI-20-3	3/1	0.84	25	20	Twnhs.	50	80	3/30
RI-20-4	23/1	6.31	25	20	Twnhs. Or Apt.	50	80	4/45
RI-20-5	29/26	0.60	25	20	Twnhs. Or Apt.	50	80	4/45
RI-20-6	52/2	4.98	25	20	Twnhs. Or Apt.	50	80	4/45
RI-20-7	33/1	3.72	25	20	Twnhs. Or Apt.	50	80	4/45
RI-20-8	26/6, 7	0.70	25	20	Twnhs. Or Apt.	60	90	4/45
RI-20-9	29/1, 2	0.47	25	20	Twnhs. Or Apt.	60	90	4/45
RI-20-10	23/8	1.12	25	20	Twnhs. Or Apt.	50	80	4/45

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Zone	Bl./Lot	Min. Lot Size	Min. Set- Aside (%)	Permitted Residential Gross Density (du/acre)	Permitted Housing Type	Max. Bldg. Coverage	Max. Total Impervious Coverage	Max. Bldg. Ht. (stories/feet)
RI-15-1	35/2	2.39	25	15	Twnhs. Or Apt.	50	80	4/45
RI-15-2	14/4, 5.01 and 15/3	1.90	25	15	Twnhs.	50	80	3/30

**§ 118-13.3. Affordable Housing and Affirmative Marketing Ordinance.**

**Subsection 1. Municipal Fair Share Obligation**

This ordinance has been created in light of the Borough's 1987-1999 and 2000-2018 COAH affordable housing obligation.

**Subsection 2. Definitions**

"Administrative agent" means the entity responsible for administering the affordability controls of this ordinance with respect to specific restricted units, as designated pursuant to N.J.A.C. 5:80-26.14.

"Affordability average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

"Affordable" means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12.

"Affordable development" means a housing development all or a portion of which consists of restricted units.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.) and in, but not of, the DCA.

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population where the head of the household is a minimum age of either 62 years, or 55 years and meets the provisions of the 42 U.S.C. §§3601 et seq., except that due to death, a remaining spouse of less than 55 years of age shall be permitted to continue to reside.

"Assisted living residence" means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.



“Balanced Housing” means the Neighborhood Preservation Balanced Housing Program of the DCA as set forth at N.J.S.A. 52:27D-320 and N.J.A.C. 5:43.

“Certified household” means a household that has been certified by an administrative agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing in, but not of, the DCA, established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Fair Share Round” means any one of three periods in time during which the Council established municipal obligations to provide affordable housing and the first round was from 1987-1993 and the second period was from 1993-1997 and the third is for 2004–2018.

“HAS” means the Housing Affordability Service, part of the Housing and Mortgage Finance Agency.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median income.

“Low-income unit” means a restricted unit that is affordable to a low-income household. “Median income” means the median income by household size for an applicable county, as adopted annually by COAH.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“MONI” means the Agency’s Market Oriented Neighborhood Investment Program, as it may be authorized from time to time by the Agency.

“95/5 unit” means a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93 before October 1, 2001.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary; and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value affordable to a four-person household with an income at or above 80% of the regional median as defined by the Councils annually adopted income limits.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, but does not include a market-rate unit financed under UHORP or MONI.

“UHORP” means the Agency’s Urban Homeownership Recovery Program.

The following general guidelines apply to ALL DEVELOPMENTS that contain proposed low- and moderate-income units, as listed below, and any future developments that may occur.

#### Subsection 3. Rehabilitation

The rehabilitation program.

1. Swedesboro Borough’s rehabilitation program is designed to renovate deficient housing units occupied by low- and moderate-income households and upon rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
2. The Borough’s Affordable Housing Administrator administers this program.
3. Both renter- and owner-occupied units are eligible for rehabilitation funds.
4. Both renter- and owner-occupied units must remain affordable to low- and moderate-income households for a period of at least 10 years. For owner-occupied units this control period will be enforced with lien, and for renter-occupied units the control period will be enforced with a deed restriction and a lien.

#### Subsection 4. New Construction

##### A. Bedroom distribution of affordable housing units:

1. The fair share obligation shall be divided equally between low- and moderate-income households.
2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
  - a. The combined number of efficiency and one-bedroom units is no greater than 20 percent of the total low- and moderate-income units;
  - b. At least 30 percent of all low- and moderate-income units are two bedroom units;
  - c. At least 20 percent of all low- and moderate-income units are three bedroom units; and
  - d. The remainder may be allocated at the discretion of the developer.
  - e. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution and at a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the affordable development.

##### B. Accessible Townhouse Units

Ten percent of all affordable town house units shall be accessible pursuant to N.J.A.C. 5:23-7.5(b) and (c) in the Barrier Free Sub Code N.J.A.C. 5:23-7.

C. Construction Timetable.

Percentage of Market-Rate <i>Units Completed</i>	Minimum Percentage of Low- and <i>Moderate-Income Units Completed</i>
25	0
25+1	10
50	50
75	75
90	100

D. Design Standards

Affordable units shall be designed to include all amenities, facade treatments, living area and heating system found in comparable market-rate units located within the same development.

E. Maximum Rents and Sales Prices

1. Swedesboro hereby establishes that the maximum rent for affordable units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
2. The developers and/or municipal sponsors of rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 10 percent of all low- and moderate-income units shall be affordable to households earning no more than 35 percent of median income.
3. The maximum sales price of ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income and each affordable development must achieve an affordability average of 55 percent for restricted ownership units and in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.

The provisions of this ordinance shall not apply to affordable developments financed under UHORP or MONI or to assisted living residences, which shall comply with applicable Agency policies, guidelines and regulations.

Subsection 5. Utilities

1. Affordable units shall utilize the same type of heating source as market units within the affordable development.
2. Those tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Subsection 6. Occupancy Standards

Occupancy standards for affordable housing units shall be pursuant to N.J.A.C. 5:80-26.4 (the Uniform Housing Affordability Controls).

Subsection 7. Control Periods for Ownership Units and Enforcement Mechanisms

Control periods for ownership units are pursuant to N.J.A.C. 5:80-26.5 and each restricted ownership unit shall remain subject to the requirements of this ordinance until Swedesboro elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1 and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1 for at least 30 years.

1. At the time of the first sale of the unit, the purchaser shall execute and deliver to the administrative agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
2. All conveyances of restricted ownership units shall be made by deeds and restrictive covenants pursuant to N.J.A.C. 5:80-26.1 and each purchaser of a 95/5 unit, in addition, shall execute a note and mortgage, incorporated herein by reference.
3. The affordability controls set forth in this ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

Subsection 8. Price Restrictions for Ownership Units and Resale Prices

Price restrictions for ownership units are pursuant to N.J.A.C. 5:80-26.1, including:

1. The initial purchase price for a restricted ownership unit shall be approved by the administrative agent. The initial purchase price for all restricted ownership units except those financed under UHOP or MONI shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.
2. The initial purchase price of a restricted ownership unit financed under UHOP or MONI unit shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve HR15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of a household whose income does not exceed 45 percent of median income, in the case of a low-income unit, or 72 percent of median income, in the case of a moderate-income unit, and that is of an appropriate household size as determined under N.J.A.C. 5:80-26.4.
3. The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.

4. The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers, although condominium units subject to a municipal ordinance adopted before October 1, 2001, which provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection shall have such fees and assessments governed by said ordinance.
5. The owners of ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom.

#### Subsection 9. Buyer Income Eligibility

Buyer income eligibility for ownership units is pursuant to N.J.A.C. 5:80-26.1, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.

1. The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees as applicable) does not exceed 33 percent of the household's eligible monthly income.
2. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the municipal building inspector stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a).

#### Subsection 10. Rental Units Control Period

Each restricted rental unit shall remain subject to the requirements of this ordinance until Swedesboro elects to release the unit from such requirements, however, prior to such a municipal election, a restricted rental unit must remain subject to the requirements of this ordinance for a period of at least 30 years.

1. Deeds of all real property that include restricted rental units shall contain deed restriction language the deed restriction shall have priority over all mortgages on the property and the deed restriction shall be filed by the developer or seller with the records office of the county and a copy of the filed document shall be provided to the administrative agent within 30 days of the receipt of a certificate of occupancy.
2. A restricted rental unit shall remain subject to the affordability controls of this ordinance, despite the occurrence of any of the following events:
  - a. sublease or assignment of the lease of the unit;
  - b. sale or other voluntary transfer of the ownership of the unit; or
  - c. the entry and enforcement of any judgment of foreclosure.

Subsection 11. Price Restrictions for Rental Units and Rent Increase; Leases

The initial rent for a restricted rental unit shall be approved by the administrative agent and shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.

1. Rents may be increased annually based on the Housing Consumer Price Index for the United States, and these figures are published annually by COAH. Rents may not be increased more than once a year.
2. A written lease is required for all restricted rental units, except for units in an assisted living residence and tenants are responsible for security deposits and the full amount of the rent as stated on the lease.
3. No additional fees or charges may be added to the approved rent (except, in the case of units in an assisted living residence, for the customary charges for food and services) without the express written approval of the administrative agent and application fees (including the charge for any credit check) may not exceed five percent of the monthly rental of the applicable restricted unit and shall be payable to the administrative agent to be applied to the costs of administering the controls in this ordinance as applicable to the unit.

Subsection 12. Tenant income eligibility shall be pursuant to N.J.A.C. 5:80-26.1.

Subsection 13. Administrative agent for Swedesboro's affordable housing units.

The affordability controls set forth in this ordinance shall be administered and enforced by the administrative agent. The primary responsibility of the administrative agent shall be to ensure that the restricted units under administration are sold or rented, as applicable, only to low and moderate-income households.

1. The administrative agent shall create and shall publish in plain English, and in such other languages as may be appropriate to serving its client base, a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls, including procedures for long-term control of restricted units; for enforcing the covenants of N.J.A.C. 5:80-26.18 and for releasing restricted units promptly at the conclusion of applicable control periods. The administrative agent shall have authority to take all actions necessary and appropriate to carrying out its responsibilities hereunder. The operating manual shall have a separate and distinct chapter or section setting forth the process for identifying applicant households seeking certification to restricted units, for reviewing applicant household eligibility, and for certifying applicant households in accordance with the household certification and referral requirements set forth in N.J.A.C. 5:80-26.16
2. The administrative agent shall establish and maintain a ready database of applicant households as a referral source for certifications to restricted units, and shall establish written procedures to ensure that selection among applicant households be via the database, and in accordance with a uniformly applied random selection process and all applicable State and Federal laws relating to the confidentiality of applicant records.
3. \_(Name of affordable housing consultant)\_ shall administer the affordable units that are not administered by the Affordable Housing Administrator.

Subsection 14. Household certification and referral; related project information

No household may be referred to a restricted unit, or may receive a commitment with respect to a restricted unit, unless that household has received a signed and dated certification and has executed a certificate.

The sources of income considered by the administrative agent shall be the types of regular income reported to the Internal Revenue Service and which can be used for mortgage loan approval.

If the applicant household owns a primary residence with no mortgage on the property valued at or above the regional asset limit as published annually by COAH, a certificate of eligibility shall be denied unless the applicant's existing monthly housing costs exceed 38 percent of the household's eligible monthly income.

The administrative agent shall employ a random selection process when referring households for certification to affordable units.

Subsection 15. Affirmative Marketing

The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of sex, age or number of children, to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing. The plan will address the requirements of N.J.A.C. 5:94 et seq. In addition, the plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size or national origin. Swedesboro is in the housing region consisting of Gloucester, Camden and Burlington Counties. The affirmative marketing program is a continuing program and will meet the following requirements:

All newspaper articles, announcements and requests for applications for low and moderate income units will appear in the *Gloucester County Times*.

The primary marketing will take the form of at least one press release sent to the above publication and a paid display advertisement in the above publication. Additional advertising and publicity will be on an "as needed" basis.

- The advertisement will include the:
  - street address
  - direction to housing units;
  - number of bedrooms per unit;
  - range of selling prices/rents;
  - size of units;
  - household income limits and
  - location of applications including business hours and where/how applications may be obtained.

All newspaper articles, announcements and requests for applications for low and moderate income housing will appear in the *Gloucester County Times*.

If applicable, the following regional radio and/or cable television station(s) will be used:

101.5 Radio

Local Cable Access Channel

The following is the location of applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region:

- municipal building
- municipal library
- developer's sales/rental office on site
- senior center
- libraries in Gloucester, Burlington and Camden Counties

The following is a list of community organization(s) that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region: County Offices on Aging in Gloucester, Burlington and Camden Counties.

The following is a description of the random selection method that will be used to select occupants of low and moderate income housing: There will be a period in which to complete and submit applications. The names of households that have completed applications in that timeframe and who are income eligible will be randomly selected to see the apartments. Each landlord will select the renter for his/her unit from the eligible list of applicants provided by the housing administrator.

Swedesboro is ultimately responsible for administering the affirmative marketing program. Swedesboro has delegated this responsibility to an affordable housing consultant to be appointed on an annual basis which will income qualify low and moderate income households; place income eligible households in low and moderate income units upon initial occupancy; provide for the initial occupancy of low and moderate income units with income qualified households; continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; assist with advertising and outreach to low and moderate income households if in contract; and enforce the terms of the deed restriction and mortgage loan as per the Uniform Housing Affordability Controls (UHAC).

The Affordable Housing Administrator will act as liaison to the affordable housing consultant. The affordable housing consultant will provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, responsibilities of homeownership, rental lease requirements and landlord/tenant law. Applications will be mailed to prospective applicants upon request. Additionally, applications will be sent to the chief administrative employees of each of the following agencies in the counties of Gloucester, Camden and Burlington:

- County Department of Human and Social Services
- County Department of Community Development

Households who live or work in the COAH-established housing region may be given preference rental units constructed within that housing region. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced. Swedesboro intends to comply with UHAC.



Developers of low and moderate income housing units may assist in the marketing of the affordable units in their respective developments if so designated by Swedesboro.

The marketing program will commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low and moderate income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or re-occupancy of units continues to be necessary.

Swedesboro will comply with monitoring and reporting requirements as per N.J.A.C. 5:94-7.3.

#### Subsection 16. Enforcement of Affordable Housing Regulations

By accepting State funds for affordable housing purposes, or by submitting to the jurisdiction of COAH, a municipality shall be deemed to have delegated to its administrative agent the day-to-day responsibility for implementing practices and procedures designed to ensure effective compliance with the controls set forth in this ordinance. The municipality, however, shall retain the ultimate responsibility for ensuring effective compliance with this ordinance.

Administrative agent practices and procedures shall include, but shall not necessarily be limited to, the following:

1. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent.
2. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates.
3. The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made.

If the unit is owner-occupied, that the unit may be resold only to a household that has been approved in advance and in writing by the administrative agent.

That no sale of the unit shall be lawful, unless approved in advance and in writing by the administrative agent, and that no sale shall be for a consideration greater than regulated maximum permitted resale price, as determined by the administrative agent.

That no refinancing, equity loan, secured letter of credit, or any other mortgage obligation or other debt secured by the unit may be incurred except as approved in advance and in writing by the administrative agent, and that at no time will the administrative agent approve any debt, if incurring the debt would make the total of all such debt exceed 95 percent of the then applicable maximum permitted resale price.

That the owner of the unit shall at all times maintain the unit as his or her principal place of residence, which shall be defined as residing at the unit at least 260 days out of each calendar year.

That, except as set forth in N.J.A.C. 5:80-26.18(c)4vii, at no time shall the owner of the unit lease or rent the unit to any person or persons, except on a short-term hardship basis, as approved in advance and in writing by the administrative agent.

That the maximum permitted rent chargeable to affordable tenants is as stated in the notice required to be posted in accordance with N.J.A.C. 5:80-26.18(d)3 of this ordinance, a copy of which shall be enclosed, and that copies of all leases for affordable rental units must be submitted annually to the administrative agent.

Banks and other lending institutions are prohibited from issuing any loan secured by owner-occupied real property subject to the affordability controls set forth in this ordinance, if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located.

Subsection 17. Appeals

Appeals from all decisions of an administrative agent appointed pursuant to this ordinance shall be filed in writing with the Executive Director of the Agency.

Date of Introduction and First Reading: \_\_\_\_\_

Date of Introduction and Second Reading: \_\_\_\_\_

I certify the foregoing Ordinance is a true and accurate copy of an Ordinance adopted by the Swedesboro Borough Governing Body on \_\_\_\_\_ 2009.

\_\_\_\_\_  
Dolores Connors  
Borough Clerk

## **APPENDIX 2**

### **Spending Plan**

## SPENDING PLAN

### INTRODUCTION

The Borough of Swedesboro adopted a Development Fee Ordinance on December 28, 2005. The ordinance, however, requires amendment due to the recent amendment of the Fair Housing Act. The draft amendment is attached at the end of this spending plan. This spending plan has been prepared in accordance with COAH's current rules.

As of November 25, 2008, the Borough of Swedesboro has collected \$0 in its Affordable Housing Trust Fund. After this spending plan is approved, all development fees and interest generated by the fees will be deposited in a separate interest-bearing account in the Bank of America for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

### 1. PROJECTION OF REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated between January 1, 2009 and December 31, 2018, 8 years of construction cost data from building permits were reviewed (2000 to 2007) to determine average past construction costs. This data is more readily available than having the Tax Assessor estimate the construction cost of every approved, pending and projected project in the Borough, and then estimate during which year the project will file for a building permit and receive a Certificate of Occupancy.

- (a) Residential costs have averaged \$321,100 per year. At 1.5 percent, this would yield \$4,817 per year.
- (b) Non-residential costs have averaged \$583,477 per year. At 2.5 percent, this would yield \$14,587 per year.
- (c) Total yields per year are therefore estimated at \$19,404 per year.
- (d) Interest is estimated at \$92 per year, because the balance of the principal at any given time will not be substantial.

SOURCE OF FUNDS	PROJECTED REVENUES (\$) - HOUSING TRUST FUND - 2009 THROUGH 2018										
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:	19404	19404	19404	19404	19404	19404	19404	19404	19404	19404	194040
(b) Payments in Lieu of Construction	0	0	0	0	0	0	0	0	0	0	0

Housing Element Amendment &  
Fair Share Plan Rounds I-III  
Borough of Swedesboro, New Jersey

SOURCE OF FUNDS	PROJECTED REVENUES (\$) - HOUSING TRUST FUND - 2009 THROUGH 2018										
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(c) Other Funds (Specify source(s))	0	0	0	0	0	0	0	0	0	0	0
(d) Interest <sup>11</sup>	92	92	92	92	92	92	92	92	92	92	920
<b>Total</b>	19496	19496	19496	19496	19496	19496	19496	19496	19496	19496	194960

The Borough of Swedesboro projects a total of \$194,960 in revenue to be collected based on past construction costs.

## 2. DESCRIPTION OF ANTICIPATED USE OF DEVELOPMENT FEES

### (a) Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)

Rehabilitation program: \$12,000 per year

New construction project(s): \$9,748. Depending on the amount of developers fees collected, approximately \$9,748 may be available after the rehabs have been completed for infrastructure improvement related to inclusionary projects. The project should be determined at the time the money becomes available.

### (b) Affordability Assistance (N.J.A.C. 5:97-8.8)

Swedesboro will dedicate 30 percent of all development fees collected and interest earned to provide affordability assistance to low- and moderate-income households in affordable units included in the Fair Share Plan. At least one-third of the affordability assistance portion shall be used to provide affordability assistance to very-low-income households. The expenditure is projected on the spreadsheet. The Affordability Assistance Program is as proposed in the applicable section, below. The focus of the program will be to make low-income units affordable to very-low-income households in order to meet the New Jersey Fair Housing Act's requirement that 13 percent of all low-income units be affordable to very-low-income households.

### (c) Administrative Expenses (N.J.A.C. 5:97-8.9)

The Borough projects that 20 percent of its developer's fees and interest income will be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are indicated on the spreadsheet.

The 20 percent expenditures will include payment of the Municipal Housing Liaison's salary and benefits to administer a housing rehabilitation program for the Township. Payments may also be made to consultants to develop and implement the affordable housing program and

<sup>11</sup> Interest can only be determined after proposed expenditures are considered.

Housing Element Amendment &  
Fair Share Plan Rounds I-III

Borough of Swedesboro, New Jersey

Housing Element and Fair Share Plan, and to affirmatively market and administer affordable units.

### 3. EXPENDITURE SCHEDULE

The Borough of Swedesboro intends to use development fee revenues for the rehabilitation of 9 housing units at a rate of approximately 1 per year prior to 2018. In order to accomplish this, \$90,000 will be required. Administrative costs will be reimbursed in the year or billing cycle in which they are accrued. Affordability assistance will likely be paid on an annual basis. All funds will be fully expended or committed to be expended within 4 years of the Court's approval of the spending plan.

Year	Revenue (\$)			Expenditures (\$)				End Balance (\$)
	Est. Developer's Fees	Est. Annual Interest	Total		Projects			
				Admin Total (≤20% of Total Revenue)	Rehab	Afford-ability Assistance (30% of Total Revenue)	Infrastructure Improvements for Inclusionary Developments	
2009	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2010	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2011	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2012	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2013	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2014	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2015	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2016	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2017	19,404	92	19,496	(3,647)	(10,000)	(5,849)	-	(0)
2018	19,404	92	19,496	(3,899)	-	(5,849)	(9,748)	0
Total	194,040	920	194,960	(36,724)	(90,000)	(58,488)	(9,748)	0

### 4. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Swedesboro will adopt a resolution agreeing to fund any shortfall of funds required for implementing the Fair Share Plan

through the general operating budget if available, or via bonding if necessary, as a condition of Judgment of Repose.

In the event of excess funds, 20 percent will be used to pay extraneous administrative fees and 30 percent will be used for affordability assistance. The remainder can be used for rehabilitation, infrastructure assistance for inclusionary projects or affordability assistance.

#### **5. BARRIER FREE ESCROW**

Collection and distribution of barrier free funds shall be consistent with the Borough's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

#### **6. AFFORDABILITY ASSISTANCE PROGRAM: Rental Units**

##### **Rental Assistance**

Swedesboro Borough will spend 30 percent of its Developer's Fee Ordinance monies in its Affordable Housing Trust Fund on Rental Assistance. Monies will be used to provide income-eligible renter households with good credit standing who qualify for a very-low-income rental unit a supplement so they can afford a low-income rent level.

The amount of the rental supplement will be determined by Swedesboro Borough as the difference between the restricted rent set by the landlord and 30% of the renter's gross monthly income. The rental supplement will be paid directly to the landlord each month by Swedesboro Borough on behalf of the tenant.

Rental assistance does not need to be repaid by the tenant. If the tenant wishes to renew the lease, they must be re-income qualified and the rental supplement will be recalculated. If the tenant no longer qualifies for the rental assistance, but qualifies for the actual rent, they may renew the lease and stay in the unit, but will no longer receive rental assistance.

##### **Administration**

Swedesboro Borough's Affordability Assistance Program will be administered by the designated Administrative Entity—a qualified consultant who will be selected on an annual basis. The program will comply with COAH's rules and the Uniform Housing Affordability Controls.

The affordability assistance recipient will sign a contract with Swedesboro Borough which states, at a minimum: the amount of funds granted, procedures, duration and conditions of affordability assistance.

The availability of the Affordability Assistance Program will be noticed in conjunction with advertisements for unit availability.

An income eligible occupant or applicant for an affordable unit within municipality may not be denied participation in the Affordability Assistance Program unless funding is no longer available.

## **APPENDIX 3**

### **Site Mapping**